

August 28, 2014

Via Electronic Mail

Emily Albano
FOIA Specialist
EPA Region 7
11201 Renner Blvd.
Lenexa, KS 66219

Re: Freedom of Information Act Request

Dear Ms. Albano:

This is a request for information related to the Beta Chem Laboratory in Lenexa, Johnson County, Kansas (the "Beta Chem Lab"). This request is made pursuant to the Freedom of Information Act, 5 U.S.C. § 552, as amended, ("FOIA") and 40 C.F.R. Part 2. It is our understanding that Mr. Doug Ferguson is the On Scene Coordinator for the Environmental Protection Agency's ("EPA's") activities at the Beta Chem Lab and Kristen Nazar is the EPA attorney working on this matter.

We request you please provide for our review, the following specific information/documents obtained or produced by the EPA or its contractors:

1. Copies of documents, notes, reports, minutes, records, analytical reports, correspondence or other information establishing or recording the nature and extent of radioactive contamination of interior surfaces of the building structure i.e., walls, floor surfaces, floor drains, ceiling tiles, doors or other, similar structural components of the building housing the Beta Chem Lab.
2. Copies of documents, notes, reports, minutes, records, correspondence or other reflecting any risk-based screening performed by EPA on any soils located in the immediate vicinity of the structure housing the Beta Chem Lab.
3. Copies of documents, notes, reports, minutes, records or correspondence reflecting any risk-based screening performed by EPA on samples taken from any surface water bodies located in the immediate vicinity of the structure housing the Beta Chem Lab or any risk-based screening performed by EPA on groundwater samples extracted at any location in the immediate vicinity of the structure housing the Beta Chem Lab.
4. Copies of documents, notes, reports, minutes, records or correspondence reflecting EPA's assessment of whether any human populations, animals or food supplies have ever been exposed to any hazardous substances discovered by EPA at the Beta Chem Lab.

5. Copies of documents, notes, reports, minutes, records or correspondence reflecting EPA's assessment of whether any human populations, animals or food supplies have ever been exposed to any radiation sources discovered by EPA at the Beta Chem Lab.
6. Copies of documents, notes, reports, minutes, records or correspondence reflecting EPA's assessment of whether any drinking water supplies or sensitive ecosystems have been impacted by releases of hazardous substances or pollutants or contaminants EPA has concluded originated from the Beta Chem Lab.
7. Copies of documents, notes, reports, minutes, records or correspondence reflecting any other risk-based screening or assessment performed by EPA in connection with the Beta Chem Lab.
8. Copies of documents, notes, reports, minutes, records or correspondence prepared by EPA, consistent with EPA's "Superfund Removal Procedure, Guidance on the Consideration of ARARs During Removal Actions", (EPA/540/P-91/011, September 1991)" documenting what Kansas ARARs have been utilized to justify EPA's removal of any material or any nature or any equipment of any type from the Beta Chem Lab site.
9. Copies of documents, notes, reports, minutes, records or correspondence prepared by EPA, consistent with the requirements of the National Contingency Plan, showing or establishing that EPA has: 1) conducted any form of community interviews concerning its removal or response actions at the Beta Chem Lab; 2) prepared a formal Community Relations Plan concerning its response action at the Beta Chem Lab; 3) published a notice of availability of the administrative record file of its actions at the Beta Chem Lab following its initiation of on-site removal activity; 4) placed a copy of an official administrative record file of its activities at a central location near the Beta Chem Lab; or 5) made its removal action activities at the Beta Chem Lab available for any public comment period.

Due to the anticipated number of documents likely to be responsive to this request, we do not ask that EPA prepare copies of EPA's responses at this time. Instead, we would like to schedule an appointment to come to EPA's offices and review the above requested files and information before making requested copies of specific responsive documents. Please indicate on each document produced, or in some reasonable manner, the number of the request to which it corresponds.

Please contact the undersigned at the address and/or telephone number provided to discuss available dates and the cost of processing this request pursuant to the FOIA. Should you have any questions or comments, or need more information in order to process this request, please do not hesitate to contact the undersigned. Thank you for your attention to this matter.

Emily Albano
August 28, 2014
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Sincerely,

Stinson Leonard Street LLP

A handwritten signature in blue ink, appearing to read "Mark E. Johnson". The signature is stylized with a large, looping "M" and "J".

Mark E. Johnson

MEJ:MC